

REMARKS

Claims 1-3, 5-17, 40-60, 62-65, 67-81 and 83-86 are pending in this application.

Applicants appreciate the indication that claims 1-3, 5-17, 40-60, 62-65, 67-71, 79-81 and 83-86 are allowed.

By this Amendment, non-elected claims 18-39, 61 and 66 are canceled. Also canceled is claim 82.

Claims 72 and 75 are amended to recite additional features. Claims 16, 42, 68, 69, 78 and 79 are amended to correct typographical errors.

Reconsideration of the application is respectfully requested.

The Office Action objects to claims 16, 42, 68, 69 and 78. Claims 16, 42, 68, 69 and 78 are amended to obviate informalities, as outlined above. Also, claim 79 is similarly amended to obviate informalities. Accordingly, withdrawal of the objection to claims 16, 42, 68, 69 and 78 is respectfully requested.

The Office Action rejects claims 72, 73 and 78 under 35 U.S.C. §102(e) over U.S. Patent Publication No. 2001/0031547 to Ohno et al. (Ohno); rejects claim 82 under 35 U.S.C. §102(b) over U.S. Patent No. 5,654,566 to Johnson; rejects claim 75 under 35 U.S.C. §102(e) over U.S. Patent No. 6,753,562 to Hsu et al. (Hsu); rejects claim 74 under 35 U.S.C. §103(a) over Ohno in view of Johnson; rejects claim 76 under 35 U.S.C. §103(a) over Hsu in view of Johnson; and rejects claim 77 under 35 U.S.C. §103(a) over Ohno in view of Hsu. These rejections are moot with respect to canceled claim 82, and are respectfully traversed with respect to claims 72-78.

Claims 72 and 75 are amended to recite additional features, as outline above. Ohno, Hsu and Johnson, either individually or in combination, do not disclose or suggest the subject matter recited in claims 72 and 75, as amended.

In particular, claim 72, as amended, is directed to ferromagnetic semiconductors in a source and a drain that are directly contacted with a semiconductor layer. On the other hand, in Ohno, ferromagnetic semiconductor layers 57 are connected to a semiconductor layer 52 through non-ferromagnetic semiconductor layers 56 as shown in Fig. 5 of Ohno. Thus, Ohno does not disclose or suggest the subject matter recited in claim 72, as amended. Also, Johnson and Hsu do not supply the subject matter lacking in Ohno.

Claim 75, as amended, is directed to a first ferromagnetic semiconductor and a second ferromagnetic semiconductor that are directly contacted with the semiconductor layer that has different conductive types from the first ferromagnetic semiconductor and the second ferromagnetic semiconductor. On the other hand, in Hsu, ferromagnetic semiconductor films 106 and 107 are directly contacted with a p type semiconductor layer (a source 102, channel 100 and a drain 103) as shown in Fig. 3a of Hsu. Hsu does not disclose or teach that the p type semiconductor layer has different conductive types from the ferromagnetic semiconductor layers. Thus, Hsu does not disclose or suggest the subject matter recited in claim 75. Also, Ohno and Johnson do not supply the subject matter lacking in Hsu.

For at least the above reasons, Ohno, Hsu and Johnson, either individually or in combination, do not disclose or suggest the subject matter recited in claims 72 and 75, and claims 73, 74 and 76-78 depending therefrom. Accordingly, withdrawal of the rejection of claims 72-78 under 35 U.S.C. §102(e) and §103(a) is respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of claims 1-3, 5-17, 40-60, 62-65, 67-81 and 83-86 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachment:

Request for Continued Examination

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